

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

#5 DAC

In re Application of:  
Eric P. Berg

Serial No.: 09/910,414

Filed: July 20, 2001

For: **REMOTE DISCONNECT  
SYSTEMS FOR UTILITY  
METERS**

§ Atty Docket No.: NIGA,003

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Examiner: Unknown

Group Art Unit: Unknown

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NOV 24 2004

OFFICE OF PETITIONS

MAIL STOP PETITION  
COMMISSIONER FOR PATENTS  
P. O. BOX 1450  
ARLINGTON, VA 22313-1450

**CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date indicated below with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Arlington, VA 22313-1450.

Mark R. Wisner, Registration No. 30,603

Nov. 17, 2004  
Date of Signature

**PETITION TO REVIVE UNINTENTIONALLY  
ABANDONED APPLICATION (37 C.F.R. 1.137(b))**

Dear Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the Office. The date of abandonment is the day after the expiration date of the period set for reply in the notice or office action, plus any extensions of time actually obtained. Applicant therefore respectfully petitions the Commissioner for Patents to revive the above-identified application under the provisions of 37 C.F.R. 1.137(b). The entire delay in filing the required reply, from the due date until the filing of a grantable petition under 37 C.F.R. 1.137(b), was unintentional.

Enclosed are:

(1) The petition fee in the amount of \$685.00 (37 C.F.R. 1.17(m)), and specifically, a Form PTO-2038 authorizing a credit card charge in the amount of the petition fee;

(2) The above-identified application was deemed abandoned as a result of Applicant's failure to respond to the Notice to File Missing Parts mailed in the application on September 6, 2001. In accordance with the provisions of 37 C.F.R. 1.137(b), a proposed response (in the form of an original executed Declaration and the authorization on the enclosed Form PTO-2038 to charge the fee for late filing of the declaration) is included with this Petition to Revive; and

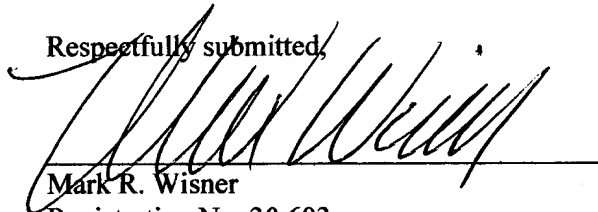
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(3) because the above-identified application was filed on or after June 8, 1995, no terminal disclaimer is required (37 C.F.R. 1.137(d)).

The grant of this Petition to Revive and entry of the enclosed Declaration of the inventor is respectfully requested.

In the event the enclosed check or Form PTO-2038 for the required fee is inadvertently not enclosed, is insufficient in amount, or inadvertently was not executed, the Commissioner is authorized to charge the Deposit Account of Wisner & Associates, Account No. 50-0965 (NIGA,003) in the amount of any necessary fee. In the event there are questions regarding this filing, it is respectfully requested that the undersigned attorney for Applicant be contacted at the address and phone number set out below.

Respectfully submitted,



Mark R. Wisner

Registration No. 30,603

Wisner & Associates

1177 West Loop South, Suite 400

Houston, Texas 77027-9012

Telephone: (713) 785-0555

Facsimile: (713) 785-0561

ATTORNEY FOR APPLICANT

Date: November 17, 2004

**Wisner & Associates**

INTELLECTUAL PROPERTY LAW

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wisnerandassoc@wt.net

File No. NIGA,003

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November 17, 2004

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Mark R. Wisner, Registration No. 30,603

November 17, 2004  
Date of Signature

Re: Application of: E.P. Berg  
Serial No.: 09/910,414  
Filed: July 20, 2001  
For: **REMOTE DISCONNECT SYSTEMS FOR UTILITY METERS**

Dear Sir:

Enclosed for filing in connection with the captioned application is/are the following:

- Petition to Revive Unintentionally Abandoned Application (37 C.F.R. 1.137(b));
- Declaration executed by inventor, Eric P. Berg;
- Power and Attorney and Election under 37 C.F.R. §3.71;
- Certificate under 37 C.F.R. 3.73(b); and
- Form PTO-2038 Credit Card Payment Form authorizing charge to credit card in the amount of the fee for filing a petition under 37 C.F.R. 1.137(b) and the fee for late filing of the declaration of the inventor (37 C.F.R. 1.16(e)).

The Commissioner is authorized to draw on the Wisner & Associates Deposit Account No. 50-0965 (NIGA,003) if any enclosed fees are insufficient, or if the Form PTO-2038 is unsigned or inadvertently not enclosed. Please return the enclosed self-addressed, postage-prepaid postcard evidencing receipt of the above documents.

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Respectfully submitted,

Mark R. Wisner  
Attorney for Applicant  
Registration No. 30,603

MRW/lm  
Enclosures